

Application No. 10/043,831
Amendment Dated April 25, 2005
Reply to Office Action of December 30, 2004

REMARKS/ARGUMENTS

In the Final Office Action the Examiner acknowledged that claims 22 and 23 were allowed, but continued to reject claim 33 "under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent 6,138,435 to Kocher."

By this amendment applicant has cancelled the sole rejected claim in this application, thereby placing this application in condition for allowance.


In view of the fact that this amendment complies with the requirements of 37 CFR 1.116(a) by placing the application in condition for allowance, entry of this amendment is respectfully requested.

The cancellation of claim 33 should not be considered an acknowledgement that applicant agrees with or acquiesces in the rejection, and is without prejudice to applicant's right to file a continuing application pursuing one or more claims essentially of the scope of claim 33.

In view of the amendment presented herein applicant submits that this application is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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consideration of this submission.